

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

JK

May 21, 2007

TO: Internal File

THRU: Wayne H. Western, Environmental Scientist III W H W

FROM: Priscilla Burton, CPSSc, Environmental Scientist III PUB by ar

RE: Full Extraction Pillar Splitting - 14th-West Panel, Consol Energy Company, Emery Deep Mine, C/015/0015, Task ID #2807

SUMMARY:

Administrative approval dated April 11, 2007 was granted for full extraction of the 14th west panel. The 30 day approval, allowed Consol time to prepare an amendment to the Mining and Reclamation Plan that addresses all the requirements of the coal rules for full extraction and planned subsidence of the 14th and 15th west panels and 8th North Main. Information received on May 18, supersedes the previous information received on April 20 and May 4, 2007, reviewed as task 2794.

The federal coal in lease U5287 (issued 1971) encompasses approximately 450 – 500 acres as shown on Plate IV-2 UG Operations Plan and VI-6A Historic and Planned Mining Sequence. The 14th West panel encompasses only 68 acres of privately held surface in Sec. 29, T. 22 S., R. 6 E., belonging to Osbrun Bret Carter. The panel runs on a NW to SE diagonal beginning in the NE ¼ NW ¼ through the NW ¼ NE ¼ of Section 29.

The Permittee has also outlined the 15th West panels and the 8th North Main on this application (for full extraction, Plate VIII-1 Vegetation and Landuse Map). Landowners on the surface of the 15th west and 8th North Main include Russell H. Odle and Morgan Robertson. When the 15th West and 8th Main are undermined, the surface features that may be affected by subsidence include the county road and a water supply line.

Although the C1C2 form indicates that the application will affect the surface landowner, the application lacks a copy of the required pre-subsidence landowner notification letters.

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TECHNICAL ANALYSIS:

OPERATION PLAN

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-731.

Analysis:

Subsidence Control Plan

In accordance with R645-301-525.110, the Permittee has provided a map showing the location of renewable resource lands, and narrative describing the potential for material damage or diminished value of the renewable resource lands. The term renewable resource lands is defined by R645-100, includes agricultural lands, croplands, and grazing lands. Appendix V-4 states that there are 24 acres of irrigated cropland within the 132 acre area surveyed in April 2007. Figure V-4 Figure 1 provided with the April 2007 survey does not indicate the location of the 24 acres of cropland, however, Figure 1 and 2 included in Appendix VIII-3 indicate the location of cropland.

The Important Farmlands of Parts of Carbon, Emery, Grand, and Sevier Counties. 1981. Utah Ag Exp Sta Res Rpt No. 76 indicates that the irrigated cropland above the 14th West panel is prime farmland.

There will be no surface affects associated with the underground mining other than planned subsidence, as a result of full extraction (Plate V-5).

Findings:

The information provided meets the requirements of the Regulations for pre-subsidence survey.

GEOLOGIC RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.22; R645-301-623, -301-724.

Analysis:

Section III.C.5 of the application and section V.A.4 of the MRP should be updated with recent roof and floor analyses for the 14th West panel.

Findings:

R645-301-624.300, Section III.C.5 of the application and section V.A.4 of the MRP should be updated with recent roof and floor analyses from 1st North IBC exploration drilling and the application should reference the location of roof and floor information for existing lease U5287.

CUMULATIVE HYDROLOGIC IMPACT ASSESSMENT (CHIA)

Regulatory Reference: 30 CFR Sec. 784.14; R645-301-730.

Analysis:

The 14th West area is shown as Prime Farmland in Important Farmlands of Parts of Carbon, Emery, Grand, and Sevier Counties. 1981. Utah Ag Exp Sta Res Rpt No. 76. Consequently the PHC must consider the effect of undermining on irrigated renewable resource lands.

Findings:

A statement of renewable resource lands has been provided with the application. The Cumulative Hydrologic Impact of mining beneath agricultural lands will be assessed by the Division.

RECOMMENDATIONS:

The application lacks landowner notification letters.